

VZCZCXRO1140
OO RUEHAG RUEHROV RUEHSL RUEHSR
DE RUEHLM #0109/01 0420952
ZNY CCCCC ZZH
O 110952Z FEB 10
FM AMEMBASSY COLOMBO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1297
INFO RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY
RUEHKA/AMEMBASSY DHAKA PRIORITY 2417
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 9439
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 7694
RUEHLO/AMEMBASSY LONDON PRIORITY 5445
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 3855
RUEHNY/AMEMBASSY OSLO PRIORITY 0031
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0231
RUEHSM/AMEMBASSY STOCKHOLM PRIORITY 0849
RUEHKO/AMEMBASSY TOKYO PRIORITY 4494
RUEHCG/AMCONSUL CHENNAI PRIORITY 9999
RUEHBI/AMCONSUL MUMBAI PRIORITY 7234
RUEHON/AMCONSUL TORONTO PRIORITY 0226
RHEFDIA/DIA WASHINGTON DC PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 0137
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY
RUEHBS/USEU BRUSSELS PRIORITY
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 000109

SIPDIS

DEPARTMENT FOR SCA/INSB

E.O. 12958: DECL: 02/11/2019

TAGS: [PGOV](#) [PREL](#) [PREF](#) [PHUM](#) [PTER](#) [EAID](#) [MOPS](#) [CE](#)

SUBJECT: SRI LANKA: UPDATE ON CHILD SOLDIERS

COLOMBO 00000109 001.2 OF 002

Classified By: CHARGE D'AFFAIRES VALERIE C. FOWLER. REASONS: 1.4 (B, D)

11. (C) SUMMARY: According to UNICEF, new cases of child recruitment in 2009 numbered 17 by the TMVP and 402 by the LTTE. All of these children were released. There were now five outstanding cases of TMVP children recruited before 2009 who were under 18, and 54 outstanding cases who had turned 18 since being recruited. There were 33 outstanding cases of LTTE child recruits under 18, and 1347 outstanding cases who had turned 18. Because UNICEF's mandate covered only those under 18, there was no authority to continue investigations of children once they turn 18. The systematic dropping of investigations of children when they turn 18 leaves families and children without recourse, and gives perpetrators a free pass. The GSL had demonstrated a commitment to stopping recruitment and rehabilitating children involved in conflict but had not taken any visible steps toward accountability. One or two commanders were reportedly detained for child recruitment but not prosecuted. END SUMMARY.

RECRUITMENT CONTINUED IN EARLY 2009

12. (C) There were 17 cases of new child recruitment by the Tamil Makkal Viduthalai Pulikal (TMVP) reported to UNICEF in 12009. All of these children have now been released and their TMVP involvement confirmed. (NOTE: The TMVP began when Vinayagamoorthy Muralitharan ("Karuna") broke from the LTTE in 2004 to create a pro-government paramilitary group. The group has since evolved into a legally registered political party, but it maintains an armed wing. END NOTE). Most of the children were recruited for military use in January and February of 2009 when the war was ongoing. The children underwent military training and presumably were involved in military operations. The last known new recruitment case was in June. Embassy contacts indicated that the Karuna faction of the TMVP was responsible for recruitment, mostly under the

direction of Commander Iniya Barrathi. (NOTE: Karuna left the TMVP for the ruling Sri Lanka Freedom Party (SLFP) in February 2009 and became Minister of National Integration but he still exerts influence on a considerable component of the TMVP. END NOTE.). Sivanesanathurai Chandrakanthan ("Pillayan"), Chief Minister of the Eastern Province and head of the TMVP political party, was regarded as genuinely concerned about cleaning up his image and stopping all underage recruitment.

¶3. (SBU) According to UNICEF, there were 402 confirmed cases of LTTE child recruitment between January and the war's end in May 2009. The child recruits were identified during the post-war process of separating children from adult detainees, verified by UNICEF, and sent for rehabilitation by court order. Post contacts suggest that the actual number of children recruited by the LTTE in 2009 was likely much higher as many children remained missing.

¶4. (SBU) There were anecdotal reports of two to three cases of recruitment by the pro-government People's Liberation of Tamil Eelam (PLOTE). The families were reportedly too intimidated to file official complaints so no formal investigations were made. There was one anecdotal case of recruitment by the pro-government Eelam People's Democratic Party (EPDP).

REPORTS, INVESTIGATIONS, AND PRESSURE BRING RELEASES

¶5. (SBU) The most recent UNICEF statistics indicated five outstanding TMVP cases and 33 outstanding LTTE cases of children who were reported recruited before 2009, were still

COLOMBO 00000109 002.2 OF 002

under age 18 and remained unaccounted for. The TMVP cases were reportedly recruited in 2008.

¶6. (C) According to Embassy contacts, when a family believed a child had been recruited, it could file a report with UNICEF and the GSL Child Welfare Unit. A Task Force made up of UNICEF, TMVP, and GSL representatives (including the police and Government Agent) would be responsible for the case under a tripartite Action Plan signed on December 4, ¶2008. Task Force representatives would visit the family for additional information and verification. The police were responsible for making full investigation to locate a suspected child soldier, and pressure on the TMVP had secured releases. While Task Force TMVP representatives were affiliated with Pillayan, the Task Force was credited with successfully pushing for the release of recent Karuna TMVP recruits. A strong stance against child recruitment by Secretary of Justice J. K. Gamlath and Mahinda Samarasinghe, Minister of Disaster Management and Human Rights, was also credited with contributing to releases. Children were generally released informally. The children would reappear, and the TMVP would refer to them as "runaways" from the TMVP.

GAP IN SYSTEM LEAVES OLDER RECRUITS IN LIMBO

¶7. (C) UNICEF's mandate extends only to children under age ¶18. Therefore, once a recruited child turned 18, UNICEF did not have the authority to push for an investigation. In other contexts, responsibility for these cases could shift to ICRC, but ICRC's limited operations in Sri Lanka at this time do not allow for this. Therefore, people who were recruited as children and who remained missing once they turned 18 had no one designated as responsible or empowered to find them. As one contact noted, in the United States we do not give up on children who were kidnapped just because they turn 18. The most recent UNICEF statistics showed 54 unresolved cases of children recruited by the TMVP who had turned 18, and 1347 cases of children recruited by the LTTE who had turned 18.

ZERO TOLERANCE BUT ZERO ACCOUNTABILITY

¶18. (C) While trusted sources in the UN and NGO communities generally commended the GSL for adopting a "zero tolerance" policy on child recruitment, accountability of those who engaged in the practice was a glaring gap in GSL commitment. Interlocutors did not know of a single case of prosecution of anyone who recruited children. One or two commanders were reportedly detained for child recruitment but not prosecuted. Accountability was seen as an important component of achieving justice for child victims, as well as deterring future recruitment.

COMMENT

¶19. (C) While the GSL appears committed to stopping new recruitment of children and supporting their rehabilitation, this does not absolve the government of its responsibility to provide them accountability. Additionally, the systematic dropping of investigations of children when they turn 18 leaves families and children without recourse and perpetrators with a free pass. Outstanding cases of those over 18 far exceed those under 18 (53 TMVP recruits over 18, 5 under 18; 1347 LTTE recruits over 18, 33 under 18). As time passes, more children will turn 18 and move beyond UNICEF's reach and the Task Force's influence. This group should not be forgotten in moves to resolve child recruitment issues in Sri Lanka.
FOWLER